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December 19, 2007

## MEMO ENDORSED

### VIA FACSIMILE

The Honorable Colleen McMahon  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 640  
New York, NY 10007

Re: Leighton Technologies LLC v. Oberthur Card Systems, S.A., et al.  
Case No. 04 Civ. 02496 (CM)(LMS)

Dear Judge McMahon:

This responds to Oberthur's December 19, 2007 letter to Your Honor. There is absolutely nothing improper about Leighton's letter, and no need for additional letters.

Oberthur chose to focus its letter on case merit issues (i.e. trying to establish that Motorola employees conceived the inventions) rather than standing; requesting a sua sponte change of inventorship; and, requesting a sua sponte grant of summary judgment of invalidity.

Leighton chose to focus its letter on the precise motion before the Court, standing, based upon the Court's invitation in its December 3, 2007 letter for comment on:

1. "[i]t is possible to conclude from the evidence that Mr. Leighton did not conceive of 'his' invention at all."
2. How would such a finding "impact on the precise motion I am trying to decide?"

Leighton's letter focuses on the problems faced by having evidence on merit issues entwined with evidence on standing.

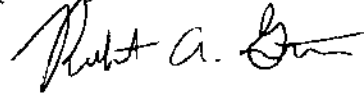
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Both letters address the December 3, 2007 letter of the Court, albeit in different ways, and additional letters simply are not necessary.

Respectfully,



Robert A Gutkin

cc: The Honorable Lisa Margaret Smith (via Federal Express)  
Kevin Johnson, Esq. (via E-mail)  
Edward DeFranco, Esq. (via E-mail)  
Mark Baker, Esq. (via E-mail)